

**Allen, Dyer, Doppelt,
Milbrath & Gilchrist, P.A.**
— INTELLECTUAL PROPERTY ATTORNEYS —

255 South Orange Avenue • Suite 1401 • Orlando, FL 32801
Mail to: P.O. Box 3791 • Orlando, FL 32802-3791
tel: 407-841-2330 • fax: 407-841-2343
www.patentamerica.com
email: cnapolitano@addmg.com

RECEIVED

NOV 20 2009

OFFICE OF PETITIONS**F A C S I M I L E C O V E R S H E E T**

To: U.S. Patent and Trademark Office
Attention: Maintenance Fee
Branch

MATTER NUMBER: 20238.2RE

TELEPHONE: (571) 272-6500

FAX: (571) 273-6500

FROM: Carl M. Napolitano

DATE: 11/11/09

NUMBER OF PAGES (INCLUDING COVER SHEET) 3

COMMENTS/INSTRUCTIONS: Re: Notification of Error in Payment of Fee(s) for:
U.S. Patent No. RE37.823
Issued: 11/09/99
U.S. Serial No. 09/613,154

NOTE: The information in this facsimile transmission is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication and as such is privileged.

If the reader of this message is not the intended recipient named above, you are notified that you have received this document in error, and any review, dissemination, distribution or copying of this message is strictly prohibited.

If you have received this document in error, please notify this office immediately via telephone, and return the original message to the above address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION, PLEASE CONTACT THE RECEPTIONIST IMMEDIATELY AT (407) 841-2330

Adjustment date: 01/07/2010 CKHLOK
 03/30/2007 INTRIFEE 00000025 010484 RE37823
 01 FC:2551 50.00 CR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. RE37,823 of:

BORDEN M. LARSON ET AL.

Serial No. 09/613,154

Filing Date: 03/09/98

Issue Date: 11/09/99

For: **WATER SPORT TOWING
APPARATUS AND METHOD**

Sir:

Adjustment date: 01/07/2010 CKHLOK
09/13/2004 DALLIN 00000005 RE37823
01 FC:2551 -455.00 OP

11/16/2009 DALLIN 00000032 010484 RE37823

Art Unit: 3617 FC:1559 1855.00 DA

Attorney Docket No.: 20238.2RE

RECEIVED

NOV 20 2009

OFFICE OF PETITIONS

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY STATUS PURSUANT TO 37 CFR § 1.28(c)**

Applicant hereby notifies the Patent and Trademark Office that the Issue Fee was paid and then subsequently the 3.5 and 7.5 Year Maintenance Fees were paid. The Fees were paid identifying the Applicant as a small entity. The claim for small entity set forth in the verified statement originally filed is hereby withdrawn. The failure to pay the Issue Fee, 3.5 Year and 7.5 Year Maintenance Fees as a large entity occurred without deceptive intent.

Pursuant to 37 CFR § 1.28(c)(2)(ii), the deficiency in the payment of fees is itemized below:

TYPE OF FEE	CURRENT FEE AMOUNT FOR NON-SMALL ENTITY	SMALL ENTITY FEE PAID	DATE SMALL ENTITY FEE PAID	FEE OR DEFICIENCY OWED
Issue Fee	1,510.00	650.00	01/28/02	860.00
3.5 Year Maintenance Fee	980.00	455.00	09/02/04	525.00
7.5 Year Maintenance Fee	2,480.00	1,150.00	03/29/07	1,330.00
				2,715.00

01/07/2010 CKHLOK 00000007 010484 RE37823

01 FC:1551 525.00 DA 455.00 OP
02 FC:1552 2480.00 DAAdjustment date: 01/07/2010 CKHLOK
11/16/2009 DALLIN 00000031 010484 09613154
01 FC:1461 860.00 CR11/16/2009 DALLIN 00000031 010484 09613154
Adjustment date: 01/07/2010 CKHLOK
01/07/2009 DALLIN 860.000032 010484 RE37823
01 FC:1559 1855.00 CR

In re U.S. Patent No. RE37,823 of:
BORDEN M. LARSON ET AL.
Serial No. 09/613,154
Filing Date: 03/09/98

Pursuant to 37 CFR §1.28(d), the payment of the deficiencies as itemized above operates as notification of loss of status and will be treated under §1.27(g)(2) as a notification of loss of entitlement to small entity status.

The Commissioner is authorized to charge Deposit Account No. 01-0484 in the total amount of \$2,715.00. If any additional fee is required, authorization is given to charge the Deposit Account No. 01-0484.

Respectfully submitted,



Carl M. Napolitano, Ph.D.

Reg. No. 37,405

ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.

255 South Orange Avenue, Suite 1401

P.O. Box 3791

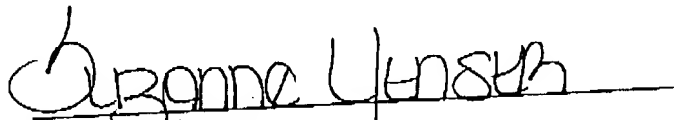
Orlando, Florida 32802

(407) 841-2330

Agent for Applicant

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the foregoing is being facsimiled transmitted, (571) 273-6500 to the Commissioner for Patents, Maintenance Fee Branch, Office of Finance, this 12th day of November, 2009.


Suzanne Yenser